

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

---

**PATRICIA GUY,**

**Plaintiff,**

**v.**

**Case No. 04-C-506**

**OFFICER MAIO and  
OFFICER PREBISH,**

**Defendants.**

---

**DECISION AND ORDER**

---

Patricia Guy (“Guy”), the *pro se* plaintiff in the above-captioned action, filed her complaint in this Court on May 26, 2004, alleging a violation of her constitutional rights pursuant to 42 U.S.C. § 1983. With her trial date fast approaching, the Court, on September 2, 2005, appointed counsel, *sua sponte*, to assist Guy with her litigation. Guy and her appointed counsel did not see eye-to-eye, however. Their differences prompted Guy to ask for a restoration of her *pro se* status and caused counsel to move for withdrawal. In an order dated October 13, 2005, the Court partially granted the motion to withdraw. The Court stated that appointed counsel could cease in assisting Guy with her trial preparation, but was still required to serve as standby counsel at trial.

On October 19, 2005, appointed counsel filed a motion to reconsider. In this most recent motion, counsel explains that Guy has never consented to a waiver of conflict of

interests. This is potentially problematic given appointed counsel's status, in other actions, as legal representative for the employer of the Defendants to the instant case. Counsel states that any further involvement in the present suit, given Guy's failure or refusal to consent to this potential conflict, would run afoul of Wisconsin Supreme Court Rule 20:1.7, which prohibits attorneys from maintaining representation of a client adverse to another client's interests absent, *inter alia*, the consent of each client.

In light of the information contained in the instant motion, the Court will allow Guy's counsel to withdraw entirely from the present action.

**\_\_\_\_\_ NOW, THEREFORE, BASED ON THE FOREGOING, IT IS HEREBY ORDERED THAT:**

The Motion to Reconsider Order Concerning Foley & Lardner LLP's Motion to Withdraw as Counsel for Plaintiff Patricia Guy (Docket No. 90) is **GRANTED**.

Appointed Counsel is excused from any further representation of Guy in the present action.

Dated at Milwaukee, Wisconsin this 27th day of October, 2005.

**BY THE COURT**

s/ Rudolph T. Randa \_\_\_\_\_

**Hon. Rudolph T. Randa**  
**Chief Judge**